

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Eufemio Juan CARRASCO-Herrera,

Defendant

Magistrate Docket No.

08 MJ 0888

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **March 20, 2008** within the Southern District of California, defendant, **Eufemio Juan CARRASCO-Herrera**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT

James Frombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 21st DAY OF MARCH 2008.

Leo S. Papas

UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:
Eufemio Juan CARRASCO-Herrera**

PROBABLE CAUSE STATEMENT

On March 20, 2008, Border Patrol Agent J. Ramos, was performing uniformed linewatch duties in an area known as "Libertad." This area is approximately two miles east of the San Ysidro, California Port of Entry and approximately 100 yards north of the United States/Mexico International Boundary.

At approximately 10:25 a.m., a Remote Video Surveillance System (RVSS) operator, observed four suspected illegal aliens jumped over the secondary fence. Agent Ramos responded to the area and observed a subject later identified as the defendant **Eufemio CARRASCO-Herrera**, attempting to conceal himself in the high brush. Agent Ramos identified himself as a Border Patrol Agent and performed an immigration inspection. The defendant admitted to being a citizen and national of Mexico without any immigration documents which would allow him to enter or remain in the United States legally. Agent Ramos arrested the defendant and transported him to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on March 10, 2008 through San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.